

First Action Interview Office Action Summary	Application No. 10/789,598	Applicant(s) MINNICH, DAVID WAYNE	
	Examiner TAUQIR HUSSAIN	Art Unit 2452	Page 1 of

The MAILING OR NOTIFICATION DATE of this communication appears on the cover sheet with the correspondence address.

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **ONE MONTH OR THIRTY (30) DAYS**, WHICHEVER IS LONGER, FROM THE MAILING OR NOTIFICATION DATE OF THIS COMMUNICATION.

This time period for reply is extendable under 37 CFR 1.136(a) for only ONE additional MONTH.

☐ Applicant's request to not have a first-action interview is acknowledged (or the time period for reply set forth in the Pre-Interview Communication has expired and the Office did not receive any reply).

Status

- 1) ☒ Responsive to communication(s) filed on 3 August 2009 and interview conducted on 10 December 2009.
- 2) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 3) ☒ Claim(s) 1,2, 5, 6, 8-12, 17-21, 26, 27 and 34-36 is/are pending in the application.
3a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 4) ☐ Claim(s) _____ is/are allowed.
- 5) ☒ Claim(s) 1,2, 5, 6, 8-12, 17-21, 26, 27 and 34-36 is/are rejected.
- 6) ☐ Claim(s) _____ is/are objected to.
- 7) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 8) ☐ The specification is objected to by the Examiner.
- 9) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 10) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 11) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

Contact Information

Examiner's Telephone Number: (571)270-1247
Examiner's Typical Work Schedule: 7:30 AM to 5:00 PM
Supervisor's Name: Thu Nguyen
Supervisor's Telephone Number: 571 272 6967

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 02/27/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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Notification of Rejection(s) and/or Objection(s)

#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection
	1,10,11 and 26	US 20020057713 A1	35 U.S.C 102(b)	Claims 1, 11 and 26 (Abstract, Fig.6, [0120] and [0121]
	2, 5-10, 12, 17-21, 27, 30, 34	US 6959076 B2	35 U.S.C 103(a)	claims 5,6,8,9,1 O, 12,17-21 and 27,30, 34-36 (Chang, Fig.2, [0023], [0024], [0025], [0026] and [0028]-[0032]); Claim 2 (Chang, [0035]

Expanded Discussion/Commentary

DATE:
12/10/2009

/TH/

/THU NGUYEN/
Supervisory Patent Examiner, Art Unit 2452